



FORT BRAGG MUNICIPAL  
IMPROVEMENT DISTRICT NO. 1  
416 N. Franklin Street  
Fort Bragg, CA 95437  
707-961-2834 / 707-961-2825  
FAX 707-961-2802

June 10, 2008

Mr. Dennis Scoles  
Grand Jury Foreperson  
Mendocino County Grand Jury  
P O Box 629  
Ukiah, California 95482

Dear Mr. Scoles:

Thank you for the opportunity to review and respond to the Findings and Recommendations contained in the April 24, 2008 Grand Jury report titled "The \$10,000 Popsicle Stick: City of Fort Bragg Municipal Improvement District 1: Waste Water and Storm Water Collection and Treatment System." This letter contains responses from the Fort Bragg Municipal Improvement District No. 1 as required by California Penal Code Section 933. For the purpose of simplicity, the response from the Fort Bragg City Manager and Fort Bragg Director of Public Works, from whom a response was required, is incorporated in the attached comments.

The Fort Bragg Municipal Improvement District Board reviewed the City Manager/Director of Public Works response at their meeting of June 9, 2008, and concurs with their responses to the findings and recommendations. As such, the attached document is the official response from the Fort Bragg Municipal Improvement District Board.

The Fort Bragg Municipal Improvement District appreciates the Grand Jury's service and the opportunity to respond to this report.

Sincerely,

Doug Hammerstrom,  
Chair



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## RESPONSE TO GRAND JURY REPORTS

- **The Grand Jury Foreperson at:** grandjury@co.mendocino.ca.us
- **The Presiding Judge:** grandjury@mendocino.courts.ca.gov
- **The Chief Executive Officer:** milledkm@co.mendocino.ca.us

Mail one signed hard copy to the Grand Jury at P.O. Box 629, Ukiah, CA 95482.

**Report Title :** "THE \$10,000 POPSICLE STICK: City of Fort Bragg Municipal Improvement District I: Waste Water and Storm Water Collection and Treatment System"

**Report Date :** 4/24/08

**Response by:** Director of Public Works Dave Goble and District Manager Linda Ruffing

**Date Due:** 7/24/08

Most of the text of the document appears to be correct, with a few minor adjustments. On page 2, fourth paragraph under "Background", second sentence – Change "Fort Bragg City Council" to "Fort Bragg Municipal Improvement District Board".

Fifth paragraph – Change "City" to District.

### Findings

- We agree with the findings numbered:  
1-21 23, 25-37, 39 and 40
- We disagree wholly or partially with the Findings numbered:  
22, 24, 38, and 41

(attach a statement specifying any portions of the Findings that are disputed; include an explanation of the reasons therefore.)

Explanations for Findings numbered:

22. The Regional Water Quality Control Board (RWQCB) has the authority to impose minimum fines of \$10,000 per incident, but various circumstance evaluations enters into the decision and the fines are generally reduced or eliminated.
24. The RWQCB listed these items as potential \$10,000 fines each, which would have totaled \$110,000, but the final outcome of the original complaint was greatly reduced so the full fine amount was not imposed.
38. Need to remove the reference to "new water meters" under this item as these were for the water system and not wastewater.
41. The City does have a grant writer who continues to monitor available funding sources and does prepare grants as they become available, but does not prepare 3 to 4 grants a month. Also most grants themselves do not require costly studies; in fact many times the grants are secured in order to prepare a costly study that may be required by a regulatory agency. The grant writer submits one to two grant applications annually for wastewater projects, if they are available.

**Recommendations**

- Recommendations numbered: \_\_\_\_\_ have been implemented. (attach a summary describing the implemented actions.)
- Recommendation numbered: 1, 2 and 3 have not yet been implemented, but will be implemented in the future. (attach a time frame for implementation)
- Recommendations numbered: \_\_\_\_\_ require further analysis. (attach an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed. This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)
- Recommendations numbered: \_\_\_\_\_ will not be implemented because they are not warranted and/or are not deemed reasonable. (attach an explanation.)

Explanations for Recommendation:

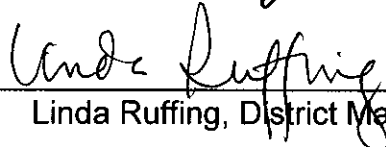
- 1-3. All three of these recommendations are related and have been a topic of discussion with District staff for some time. The report prepared by Nute

Engineering regarding the condition of the treatment facility went a long way to inform the District Board and it did have some exposure during the hearing process for the public to gain knowledge of the operations.

The District staff currently prepares an annual wastewater report that is submitted to the Regional Board and the report can be expanded to incorporate the recommendations from the Grand Jury Report. The annual report is due in February of each year, and efforts will be made to expand upon this report and make it available to the public. Numerous annual reports are already placed on Fort Bragg's web site, and this could be done as well. Periodic mailings are included in billings for the system, and a flyer with the information could be incorporated as well.

Once the information is assembled, within the next few months following the completion of the report, staff will work with the local newspaper and radio stations, and any other venues that may be available to provide a public awareness program. The program will include information related to sewer overflow causes and types of untreatable materials that should not enter the waste steam.

Date: 6/5/08 Signed:   
David W. Goble, Director of Public Works

Date: 6/5/08 Signed:   
Linda Ruffing, District Manager

Number of response pages attached: 0 – all information include above.